

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

CHARLES DAVIS, BART PANESSA, and  
JEFF NIEMEIER, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

KATANGA MINING LIMITED, JOHNNY  
BLIZZARD, JACQUES LUBBE,  
MATTHEW COLWILL, ARISTOTELIS  
MISTAKIDIS, LIAM GALLAGHER, TIM  
HENDERSON, IVAN GLASENBERG, AND  
GLENCORE PLC,

Defendants.

Case No. 2:17-cv-12188-CCC-JBC

CLASS ACTION

**ORDER AWARDING LEAD COUNSEL'S ATTORNEYS' FEES,  
REIMBURSEMENT OF EXPENSES, AND AWARD TO PLAINTIFFS**

This matter having come before the Court on the application of Lead Counsel for an award of attorneys' fees, expenses, and incentive award incurred in the above-captioned action, the Court, having considered all papers filed and proceedings conducted herein, having found the settlement of this action to be fair, reasonable and adequate and otherwise being fully informed in the premises and good cause appearing therefore;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. All of the capitalized terms used herein shall have the same meanings as set forth in the Stipulation and Agreement of Settlement dated March 5, 2021 (the "Settlement Stipulation") (the "Settlement Stipulation"), and filed with the Court (ECF No. 87).
2. This Court has jurisdiction over the subject matter of this application and all matters relating thereto, including all members of the Class who have not timely and validly requested exclusion.

3. The Court hereby awards Lead Counsel attorneys' fees of one third of the Settlement Fund, or \$333,333.33 plus expenses in the amount of \$20,340.79, together with the interest earned thereon for the same time period and at the same rate as that earned on the Settlement Fund until paid. The Court finds that the amount of fees awarded is appropriate and that the amount of fees awarded is fair and reasonable under the "percentage-of-recovery" method given the substantial risks of non-recovery, the time and effort involved, and the result obtained for the Class. The Court additionally finds that these costs and expenses were reasonably incurred in the ordinary course of prosecuting this case and were necessary given its complex nature and nationwide scope.

4. Finally, the Court approves an award of \$2,500 each to Plaintiffs (\$7,500 in total). These awards are reasonable and justified given: the time and effort expended and the work performed and the active participation in the litigation and settlement processes by the class representative on behalf of the members of the settlement class; the time the class representative spent away from work and other responsibilities while working on this matter on behalf of the settlement class; the benefit to settlement class members of Plaintiffs' actions on their behalf; and the length of this case.

5. The awarded attorneys' fees and expenses and interest earned thereon shall immediately be paid to Lead Counsel subject to the terms, conditions and obligations of the Settlement Stipulation, which terms, conditions and obligations are incorporated.

IT IS SO ORDERED.



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HON. CLAIRE C. CECCHI  
UNITED STATES DISTRICT JUDGE

Dated: June 25, 2021